

“No Child Left Behind”

Montana Board of Public Education Policy Inventory

to

Examine Current State Education Policies for Compliance with Accountability, Teacher Quality, and Literacy Aspects of ESEA 2001

Matrix Provided by the National Association of State Boards of Education

MONTANA RESPONSE*

by

Claudette Morton, Ed.D.

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Introduction

Under the Montana Constitution, there is a Board of Public Education to supervise the elementary and secondary school system and an elected Superintendent of Public Instruction. A major function of the state board is to create and revise policies for school accreditation, assessment, special education, gifted and talented education, educator preparation and licensure for the state. The state superintendent recommends policy adjustments to the state board and, with the governor, is authorized by the legislature to accept and expend federal moneys for public education. In order to perform this function, the superintendent must provide the federal government and the field (Montana public schools) with a variety of program agreements, documents and technical assistance materials to meet the requirements for accepting and expending these federal dollars. The policy inventory that follows this introductory page details how laws, state policies, and the variety of documents from the federal agreements address the specific federal legislation commonly referred to as “No Child Left Behind.”

This report clearly indicates that the State of Montana has in place policy documents that align the state’s public school program to the federal legislation. With the exception of: 1. an English as a Second Language Assessment (see page 12) on which the Office of Public Instruction is collaborating with other western states, 2. the need to create a school recognition program (see page 27), and 3. the concern for ARM 10.57.201 in the licensure section (see page 30), the other 190 compliance points of the federal legislation were able to be documented as met by Montana policy.

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SECTION ONE: ACCOUNTABILITY

Glossary:

ARM=Administrative Rules of Montana

AYP= Adequate Yearly Progress

CSIP= Comprehensive School Improvement Plan

IASA= Improving America's Schools Act of 1994

IDEA= Individuals with Disabilities Education Act

LEA= Local Education Agency (school district)

LEP= Limited English Proficient

MCA=Montana Codes Annotated

MTSASE=Montana Statewide Accountability System for Education

NCLB= No Child Left Behind Act of 2002

NWREL= Northwest Regional Educational Laboratory

SBR= Scientifically-Based Research

SEA= State Education Agency

USDESE=United States Department of Elementary and Secondary Education

STATE STANDARDS and ACCOUNTABILITY

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Adopt State Academic Achievement Standards in Reading and Mathematics	Challenging content and achievement standards adopted and executed by state and LEAs	Title I, Part A Section 1111(b)(1)	State Board of Public Education Policy/Regulations, i.e., State Administrative Rules Legislation	Section 10, Chapters 54 & 55 ARM (Accreditation Standards) 20-2-121(7), 20-7-101, 20-7-102 MCA

	State standards apply equally to all students, and the state has a strategy to ensure this.		State Board of Public Education	10.55.601 ARM
	Standards include specific expectations for students at each grade level		Superintendent of Public Instruction Legislation	Posted on OPI website May 1, 2003 20-3-106(26) MCA
	State academic achievement standards are aligned to state academic content standards		State Board of Public Education Legislation	Section 10, Chapter 54 ARM 20-2-121(12) MCA
	At least three achievement levels are defined at each grade		Superintendent of Public Instruction Legislation	Posted on OPI website May 1, 2003 20-3-106(26) MCA
Implement Unitary System of Accountability for All Public Schools in 2002-2003 school year	Effective in ensuring all public schools and LEAs make adequate yearly progress	Title I, Part A, Section 1111(b)(2)(A1)	State Board of Public Education Superintendent of Public Instruction	10.55.601 ARM Montana Statewide Accountability System for Education (MTSASE)

	Guidelines present to identify students with significant cognitive disabilities taking alternate assessments	Title 1, part A Proposed Rule 200.12	State Board of Public Education Legislation Superintendent of Public Instruction	10.56/101 (7) (a) ARM 20-7-101 MCA CRT Alternate Assessment Guidelines, OPI Website
	Reporting system for number of students with cognitive disabilities taking alternative assessments	Title I, Part A Proposed rule 200.12	Superintendent of Public Instruction	CRT Alternate Assessment Guidelines, OPI Website
	Has school- and LEA-level sanctions and rewards	Title I, Part A Section 1111 (b)(2)(A)	Superintendent of Public Instruction	Title I state regulations, memos and workshop materials

ADEQUATE YEARLY PROGRESS (AYP)

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Adopt all required elements of NCLB AYP definition	Statistically valid and reliable standard applied to all school	Title 1, Part A Sect. 1111(b)(2)(B, C)	Superintendent of Public Instruction Legislation	State Assessment Program 20-3-106(26) MCA
	Includes school and LEA-level reporting of AYP data.		Superintendent of Public Instruction	MTSASE
	System includes graduation rate for secondary students, and one indicator besides assessments for elementary students		Superintendent of Public Instruction	MTSASE
	Based mostly on academic assessments		State Board of Public Education Legislation	10.55.101 ARM 20-2-121(12) MCA
	AYP must be met for both subjects		Superintendent of Public Instruction	MTSASE
	Includes annual achievement objectives for economically disadvantaged students, LEP students, student racial/ethnic groups, and students with disabilities.		Superintendent of Public Instruction	MTSASE

Calculate AYP performance baseline	Calculated from SY 2001-2002 data	Title 1, Part A Sect. 1111(b)(2)(E)	Superintendent of Public Instruction (Will be revised in the summer of 2004 to reflect the new state criterion referenced test)	Five Year Comprehensive Plan Goals and MTSASE
	Baseline is higher of two levels: percent of students scoring proficient in lowest-achieving subgroup, or school at the 20 th percentile among all schools, ranked by percent of students at proficient level.		Superintendent of Public Instruction (Will be revised in the summer of 2004 to reflect the new state criterion referenced test)	MTSASE and Title I requirements
Adhere to timeline for full proficiency	100 percent proficient by end of 2013-14 school year	Title 1, Part A Section 1111(b)(2)(F)	Superintendent of Public Instruction	MTSASE and Title I requirements
Set annual measurable objectives for LEAs and schools	Separate baselines for reading and math	Title 1, Part A Section 1111(b)(2)(G)	Superintendent of Public Instruction (Will be revised in the summer of 2004 to reflect the new state criterion referenced test)	MTSASE and Title I requirements
	Set identical baselines for all schools & LEAs		Superintendent of Public Instruction (Will be revised in the summer of 2004 to reflect the new state criterion referenced test)	MTSASE and Title I requirements include attendance at elementary level, graduation rate at H.S and percent of students taking the test

	Require a minimum percentage of students from each disaggregated group to meet the defined proficiency level.		Superintendent of Public Instruction (Will be revised in the summer of 2004 to reflect the new state criterion referenced test)	MTSASE and Title I requirements include attendance at elementary level, graduation rate at H.S and percent of students taking the test
Set intermediate goals for meeting AYP	<p>Equal increments over the timeline</p> <p>First increase measured within 2 years</p> <p>Subsequent increases <= 3 year interval</p>	Title 1, Part A, Section 1111(b)(2)(H-I)	Superintendent of Public Instruction (Will be revised in the summer of 2004 to reflect the new state criterion referenced test)	MTSASE and Title I requirements include attendance at elementary level, graduation rate at H.S and percent of students taking the test
Include "safe harbor" provision	At least as rigorous as federal definition	Title 1, Part A Section 1111(b)(2)(I)	Superintendent of Public Instruction	MTSASE and Title I
Disaggregate student participation rates	At least 95 % of each group identified for disaggregation is included	Title 1, Part A Section 1111(b)(2)	Superintendent of Public Instruction	MTSASE and Title I

ANNUAL STUDENT ACADEMIC ASSESSMENTS

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Test all students in grades 3-8, math and reading	Testing in both mathematics and reading by 2005-06 school year	Title I, Part A Section 1111(b)(3)(A)	Superintendent of Public Instruction	Montana State Assessment Program
Test students in science	By 2007-2008, test at least once in grades 3-5, 6-9, and 10-12	Title I, Part A Section 1111(b)(3)(C)	Superintendent of Public Instruction	Montana State Assessment Program
Align tests to standards	Aligned to yearly academic standards	Title I, Part A Section 1111(b)(3)(C)	Board of Public Education	10.55.603(1) & (3)(a) ARM
	Main means of determining AYP for state, LEAs, schools	Title I, Part A Section 1111(b)(3)(A)	Board of Public Education Superintendent of Public Instruction	10.55.601 ARM MTSASE
Ensure technical adequacy	Assessments are used for valid and reliable purposes	Title I, Part A Section 1111(b)(3)(C)	Superintendent of Public Instruction Legislation	Montana State Assessment Program 20-3-106(26) MCA
	Assessments are written consistent with high professional and technical standards.		Superintendent of Public Instruction Legislation	Montana State Assessment Program 20-3-106(26) MCA

	To be used only after Secretary approves technical quality		Superintendent of Public Instruction (To be completed)	Montana State Assessment Program
Measure higher order thinking	Multiple measures of achievement		Board of Public Education	10.55.603(3)(a) ARM Montana Comprehensive Assessment System
	Tests stress higher order thinking		Superintendent of Public Instruction (Note in an earlier version of 10.56.101 ARM the Board of Public Education included language to address this issue as well. However, the Superintendent's RFP does address this issue.)	RFP for the Criterion Referenced Test
Student participation	At least 95 percent will participate	Title I, Part A Section 1111(b)(3)(C)	Superintendent of Public Instruction	Montana State Assessment Program
	All students that have been in state public schools for a full year must participate.		Superintendent of Public Instruction	Montana State Assessment Program
	Consistent with IDEA Section 612 (a)(17)(A):		Board of Public Education	10.56.101(7) ARM
Disaggregate scores	By all specified groups except if unreliable or if would violate student privacy	Title I, Part A Section 1111(b)(3)(C)	Superintendent of Public Instruction Legislation Federal Legislation	Montana State Assessment Program 20-106(27) ARM The Family Education Rights and Privacy Act

				(FERPA)
Provide language accommodations	Reading or Language Arts tested in English if student has been in school in U.S. 3+ years	Title I, Part A Section 1111(b)(3)(C)	Superintendent of Public Instruction	Montana State Assessment Program
	Test recent LEP students in own language, as possible	Title I, Part A Section 1111(b)(3)(C)	Board of Public Education	10.56.101(7)(i) ARM
Distribute student test results appropriately	Provide individual student itemized score analyses to teachers, parents, and principals	Title I, Part A Section 1111(b)(3)(C)	Board of Public Education Superintendent of Public Instruction	10.56.101(4)(s) ARM Montana State Assessment Program
	Score analyses sent to LEAs & schools		Board of Public Education Superintendent of Public Instruction	10.56.101(5) ARM Montana State Assessment Program
Provide testing adaptations and accommodations	Adaptations and accommodations should be reasonable as defined under IDEA section 602(3)	Title I, Part A Section 1111(b)(3)(C)	Board of Public Education	10.56.101(a)(8)(a)(b) ARM
Ensure student privacy	Nondisclosure of individual student information in achievement data.		Superintendent of Public Instruction Legislation	Montana State Assessment Program 20-3-106(27) MCA
			Federal Legislation	The Family Education Rights and Privacy Act (FERPA)

ENGLISH LANGUAGE PROFICIENCY ASSESSMENTS

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Test English language learners in English oral language, reading, and writing	By 2002-2003 school year, the state will help LEAs develop the capacity to test LEP students in oral English, reading, and writing	Title I, Part A Section 1111(b)(7)	Superintendent of Public Instruction (Will be piloting the assessment this spring and have full scale program next school year)	A consortium of Western States
	State studies and reports need for assessments and test development in languages other than English	Title I, Part A Section 1111(b)(6)	Superintendent of Public Instruction	Montana State LEP Program

SUPPORTING TEACHERS AND LEARNING

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Comply with ESEA (IASA) 1994	State has met ESEA 1994 requirements	Title I, Part A Section 1111(c)(2)	Superintendent of Public Instruction	State Compliance Agreement with the USDESE
Provide assistance with curricular support and capacity building	State law or policy describes specific steps to distribute program assistance and highly-qualified staff equitably, and offer statewide technical assistance.	Title I, Part A Section 1111(c)(1,3,4,5)	Montana Constitution Board of Public Education Superintendent of Public Instruction Legislation	Article X, Sections 1 and 3 Section 10, Chapters 54 and 55 ARM Accreditation Implementation 20-2-121(7) MCA 20-3-106(17) MCA
	State assists LEAs in delivering aligned curricula		Board of Public Education Superintendent of Public Instruction Legislation	10.56.601(2)(a)(i) & (5) ARM Accreditation Implementation 20-3-106(18), 20-7-113, 20-7-114 MCA
Participate in NAEP	4 th and 8 th grade NAEP required in mathematics and reading starting in 2002-03 school year	Title I, Part A Section 1111(c)(2)	Board of Public Education	Montana Comprehensive Assessment System Agreement with the

	starting in 2002-03 school year	1111(c)(2)	Superintendent of Public Instruction	USDESE
Provide notification to LEAs	Notification to LEA and public of NCLB-based standards, assessments	Title I, Part A Section 1111(c)(6)	Superintendent of Public Instruction	Five Year Comprehensive Plan, Title I and Assessment Workshop Materials
	Notification of section 1116 school improvement and correction powers		Superintendent of Public Instruction	Title I workshop materials
Consolidate accounting and funding	Encourage elimination of fiscal barriers to consolidation of federal, state, and local funding	Title I, Part A Section 1111(c)(9,10)	Superintendent of Public Instruction	Title I materials and State Accounting Procedures
			Legislation	20-3-106(6) MCA
Support parental involvement	Support collection, dissemination of "school based research" effective practices in parent involvement to LEAs, schools	Title I, Part A Section 1111(d)	Board of Public Education Superintendent of Public Instruction	10.55.1003(b)(iv), 10.55.701(3)(m) ARM Outreach Procedures
	Lower barriers to parental involvement in school plan, reviews		Board of Public Instruction	10.55.701(m) ARM
	Encourage LEAs and schools to offer family literacy programs if a substantial number of parents in the LEA or school do not have a high school diploma or the equivalent.	Title I, Part A Section 1111(c)(14)	Superintendent of Public Instruction	Title I Workshop Materials

ANNUAL REPORT CARDS

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Distribute annual state report cards starting 2002-03	Report cards shall contain all nine elements defined in NCLB (See Appendix B).	Title I, Part A, Section 1111(h)(1)(A,B,C)	Legislation Superintendent of Public Instruction	20-3-106(29) MCA On OPI website
Ensure annual LEA report cards starting 2002-03	Report cards shall contain all required elements (See Appendix B).	Title I, Part A Section 1111(h)(2)(A)	Superintendent of Public Instruction	On OPI website
Include school data on LEA report cards	Report number and percentage of schools identified for improvement; achievement data on state tests compared to LEA & state.	Title I, Part A Section 1111(h)(2)(B)	Superintendent of Public Instruction	On OPI website
Annual state report to Secretary	Submit to secretary with required elements beginning 2002-2003.	Title I, Part A, Section 1111(h)(4)(A-G)	Superintendent of Public Instruction	Submitted December 22, 2003

LEA PLANS

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Ensure that LEA plans meet purposes and descriptive requirements	Coordinate requirements of ESEA and other federal laws	Title I, Part A Section 1112 (a)(1)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM ESEA Consolidated Application
	Require LEA plans to inform, assess success, diagnose problems, revise practices	Title I, Part A Section 1112(b)(1)(a)	Board of Public Education Superintendent of Public Instruction	10.55.601(3)(a)(i)(ii)(iii)(iv)(v) ARM Five Year Comprehensive Plan Materials
	Require LEA plans to include areas of responsibility defined in Section 1112 (See Appendix B).	Title I, Part A Section 1112(b)(1)(D-Q)	Superintendent of Public Instruction	Five Year Comprehensive Plan Materials ESEA Consolidated Application
Ensure consultative process	LEAs should develop plan in consultation with teachers, principals, parents, and administrators	Title I, Part A Section 1112(d)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Five Year Comprehensive Plan Materials ESEA Consolidated Application
Approve LEA plans	Review and approve all LEA plans regarding academic standards, parental involvement,	Title I, Part A Section 1112 (e)	Board of Public Education	10.55.601(3)(a)(i)(ii)(iii)(iv)(v) ARM

	standards, parental involvement, and educator quality		Superintendent of Public Instruction	Five Year Comprehensive Plan Materials ESEA Consolidated Application
Ensure parental notification and involvement	Ensure LEAs notify parents of LEP participation, LEP program elements, enrollment options, plan failure	Title I, Part A Section 1112 (g)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Title III Application

SCHOOL AND DISTRICT IMPROVEMENT

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Require LEAs ' local reports to include elements required by NCLB	LEAs are required to use state assessments and other indicators used by the state to determine AYP	Title I, Part A, Section 1116(a)(1)(A-D)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM District Data on OPI report card section of website
	LEAs required to publicize and report results to parents, schools, community		Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM District Data on OPI report card section of website
	LEAs required to review effectiveness of professional development, parental involvement policies		Board of Public Education	10.55.701(1)(2)(m) ARM 10.55.714(1)(k) ARM
Ensure LEAs identify schools not making AYP for two consecutive years, using NCLB criteria	School is identified before the next school year	Title I, Part A, Section 1116(b)(1)(A)	Superintendent of Public Instruction	MTSASE
Ensure LEAs establish public school choice in schools identified as	Option to transfer to another public school in LEA, including charters, so long as school not also identified	Title I, Part A, Section 1116(b)(1)(E)	Superintendent of Public Instruction	MTSASE Title I Documents

not making AYP for 2 consecutive years	LEAs, schools, parents are allowed to present evidence of identification error before improvement is implemented.		Superintendent of Public Instruction	MTSASE Title I Documents
State sets criteria for school plans	School plans developed in consultation with parents, school staff, LEA staff, outside experts	Title I, Part A Section 1116(b)(3)(A)	Board of Public Education Superintendent of Public Instruction	10.55.601 ARM ESEA Consolidated Application Five Year Comprehensive Plan
	Plans must cover two-year period		Superintendent of Public Instruction	Five Year Comprehensive Plan
	Plans must incorporate strategies based on scientifically-based research		Superintendent of Public Instruction	ESEA Consolidated Application Five Year Comprehensive Plan
	Plans must allow adoption of comprehensive school reforms		Superintendent of Public Instruction	ESEA Consolidated Application Five Year Comprehensive Plan
	Sets aside 10 % of Section 1113 funds for professional development		Superintendent of Public Instruction	Title I Section of ESEA Consolidated Plan
	Specifies how funds will help get school off improvement status		Superintendent of Public Instruction	Title I Section of ESEA Consolidated Plan
State ensures LEAs provide technical assistance	Specific assistance in analyzing assessment data, implementing SBR-based professional	Title I, Part A Section 1116(b)(4)	Superintendent of Public Instruction	Title I Assistance Procedures

assistance	development, reallocating school budget to address causes of school identification	1116(b)(4)		
State ensures LEAs notify parents of identified status of school	LEAs must notify parents of identified status of schools according to 6 criteria	Title I, Part A Section 1116(b)(6)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Title I Assistance Procedures
State ensures LEAs offer supplemental services	Available to students in school not making AYP by end of first year of identification	Title I, Part A Section 1116(b)(5)	Superintendent of Public Instruction	Title I Assistance Procedure
State ensures LEAs implement corrective action at end of second year of not making AYP	Public school choice, technical assistance, and supplemental services continue	Title I, Part A Section 1116(b)(7)	Superintendent of Public Instruction	Title I Workshops and Materials
	At least one of six defined corrective actions is taken at end of second full year a school fails to make AYP (See Appendix B).		Superintendent of Public Instruction	Title I Workshops and Materials
State ensures that LEAs transport students from identified schools	LEA provides or pays for transportation of students from identified schools to other schools. Between 5 and 15 percent of Title I allocation is spent on transportation	Title I, Part A Section 1116(b)(9, 10)	Superintendent of Public Instruction	Title I Workshop and Materials
	Priority given to lowest-achieving students		Superintendent of Public Instruction	Title I Workshop and Materials
State supports LEAs' school restructuring efforts	One or more of five alternative governance steps are taken if schools fail to make AYP after a year of corrective action (See Appendix B).	Title I, Part A Section 1116(b)(8)	Superintendent of Public Instruction	Title I Workshop and Materials

States support LEAs' provision of notice to schools of corrective action and restructuring	Published, disseminated information in understandable, uniform format to parents of students and teachers	Title I, Part A Section 1116(b)(7,8)	Superintendent of Public Instruction	Title I Workshop and Materials
State ensures LEAs carry out responsibilities	SEA ensures LEAs' technical assistance to, tracking of, and appropriate intervention in identified schools	Title I, Part A Section 1116(b)(14)	Superintendent of Public Instruction	Title I Workshop and Materials

LEA IMPROVEMENT (PROVISIONS REQUIRED OF STATES)

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Ensure LEAs review schools' annual progress	Oversight of annual review by LEA of Title I, Part A schools to determine progress, required by report to stakeholders	Title I, Part A Section 1116(c)(1)	Board of Public Education Superintendent of Public Instruction	10.55.601 ARM Title I Procedures and Materials
	Failure to make AYP two years consecutively invokes identification	Title I, Part A Section 1116(c)(3)	Superintendent of Public Instruction	Title I Procedures and Materials
State ensures LEA improvement	LEA gets opportunity to review data, present evidence of error	Title I, Part A Section 1116(c)(5)	Superintendent of Public Instruction	Title I Procedures and Materials
	Notification to all parents in LEA explaining reasons why identification occurred and providing the opportunity to participate in improving LEA	Title I, Part A Section 1116(c)(6)	Superintendent of Public Instruction	Title I Procedures and Materials
LEA Plans	Within 3 months of identification, develop plan incorporating 11 required elements, to take effect no later than start of next school year.	Title I, Part A Section 1116(c)(7)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Title I Procedures and Materials

Provide technical assistance to LEAs	Provided if requested by LEA	Title I, Part A Section 1116(c)(9)	Superintendent of Public Instruction	Title I Procedures and Materials
Implement corrective action	At least one of seven actions listed in NCLB is enacted if identified LEA fails to make AYP after two years (See Appendix B).	Title I, Part A Section 1116(c)(10)	Superintendent of Public Instruction	Title I Procedures and Materials
	SEA continues technical assistance		Superintendent of Public Instruction	Title I Procedures and Materials
	SEA provides public hearing <=45 days after decision to implement corrective action, disseminates information.		Superintendent of Public Instruction (Have had no requests to date)	Title I Procedures and Materials

SUPPLEMENTAL EDUCATIONAL SERVICES

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Ensure LEA notice to parents	Annual notice to parents in LEA: availability and descriptions of services, identity & qualifications of providers	Title I, Part A Section 1116(e)(2)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Title I Materials
Ensure LEA prioritization of services	Fair, equitable procedure in place if not enough spaces are available	Title I, Part A Section 1116(e)(2)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Title I Materials
Ensure LEAs guarantee student privacy	Prohibition of disclosure of students' eligibility or use of services	Title I, Part A Section 1116(e)(2)	Board of Public Education Superintendent of Public Instruction Federal Legislation	10.55.701(1) ARM Title I Materials The Family Education Rights and Privacy Act (FERPA)
Ensure LEA support services for disabled students	SEA requires LEAs, with parents, to develop statements of specific student goals consistent with IDEA	Title I, Part A Section 1116(e)(3)	Board of Public Education Superintendent of Public Instruction	10.55.801(1) ARM Title I Materials
Ensure LEA financing of supplemental services	Provides funds according to formula in section 1116, definition in 1124(c)(1) (See Appendix B).	Title I, Part A Section 1116(e)(6)	Superintendent of Public Instruction	Title I Procedures
Develop criteria for providers	SEA requires providers to disclose student progress to parents	Title I, Part A Section 1116(e)(5)	Superintendent of Public Instruction	Title I Procedures

SEA requires providers to present secular, non-ideological content, prohibits pay for religious instruction	Title I, Part A Section 1116(e)(5,9)	Superintendent of Public Instruction	Title I Procedures
Eligible children include all eligible under section 1113 (c)(1)	Title I, Part A Section 1116(e)(9)	Superintendent of Public Instruction	Title I Procedures
Providers have a record of demonstrated effectiveness and consistency with LEA and state programs		Superintendent of Public Instruction	Title I Procedures
Services are based on SBR and augment rather than replace regular instruction		Superintendent of Public Instruction	Title I Procedures

SCHOOLS AND LEAs PREVIOUSLY IDENTIFIED FOR IMPROVEMENT OR CORRECTIVE ACTION

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Ensure schools' retention of previous identified status	Schools continue in identified status at same point in process for 2002-03	Title I, Part A Section 1116(f)(1)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM MONTSASE and Title I Materials and Procedures
	Schools that have been previously identified must submit plan, provide school choice, supplemental services for 2002-03		Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM MONTSASE and Title I Materials and Procedures
Ensure LEAs' retention of previous identified status	LEAs in improvement status or corrective action before enactment of NCLB remain there for 2002-03	Title I, Part A Section 1116(f)(2)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM MONTSASE and Title I Materials and Procedures

STATE SCHOOL SUPPORT AND RECOGNITION

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
State maintains statewide support and assistance programs	Target prioritized schools, use designated and distinguished teachers, make use of education service agencies, higher education, local consortia, private providers.	Title I, Part A Section 1117(a)(4)	Superintendent of Public Instruction	Title I Procedures
State regulates support teams	Serve the five listed functions (See Appendix B).	Title I, Part A Section 1117(a)(5)	Superintendent of Public Instruction	Title I Procedures
	Composed of persons knowledgeable about scientifically-based reform, whole school reform, and the education of low-achieving students		Superintendent of Public Instruction (OPI accessing technical assistance from NWREL to provide workshops for improving instructional strategies in identified schools)	Title I Procedures
	Include members of specified groups on school support teams (See Appendix B).		Superintendent of Public Instruction (OPI accessing technical assistance from NWREL to provide workshops for improving instructional strategies in identified schools)	Title I Procedures
State provides school recognition programs	Recognize schools getting Title I funds that close achievement gaps and exceed AYP	Title I, Part A Section 1117(b)(1,2)	Superintendent of Public Instruction (Working on)	

PARENTAL INVOLVEMENT (STATE REQUIREMENTS)

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Ensure LEA parental involvement policy meets federal requirements	For Title I funds, LEAs must meet the seven criteria listed in law (See Appendix B).	Title I, Part A Section 1118(a)(2)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Title I Materials and Procedures
	LEAs must jointly develop a parental involvement policy with parents	Title I, Part A Section 1118(a)(1)	Board of Public Education Superintendent of Public Instruction	10.55.701(2)(m) ARM Title I Materials and Procedures
	LEAs reserve at least one percent of their Title I, Part A, Subpart 2 allocation to promote family literacy and parenting skills except if the amount is \$5,000 or less.	Title I, Part A Section 1118(a)(3)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Title I Materials and Procedures
Ensure schools involve parents in policy	Schools develop written parental involvement policy, allow for parental comment, follow requirements in law	Title I, Part A Section 1118(b,c)	Board of Public Education Superintendent of Public Instruction	10.55.701(1)(2)(m) ARM Title I Materials and Procedures

	Requires schools to hold meetings, conduct planning and review processes, and create required reports for parents		Board of Public Education Superintendent of Public Instruction	10.55.701(1)(2)(m) ARM Title I Materials and Procedures
Share responsibilities with parents	Schools develop compacts with parents that have elements required by law	Title I, Part A Section 1118(d)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Title I Materials and Procedures
Build capacity for involvement	SEA requires schools and LEAs to satisfy the four criteria in the law (See Appendix B).	Title I, Part A Section 1118(e)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Title I Materials and Procedures
Ensure accessibility	LEAs and schools provide opportunities for migrant, disabled, and LEP parents to participate in process	Title I, Part A Section 1118(f)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Title I Materials and Procedures
State parental information and resource centers	If extant in state, SEA requires LEAs to inform parents of its existence, purpose	Title I, Part A Section 1118(g)	There are no parental information and resource centers in Montana.	

SECTION TWO: TEACHER QUALITY

HIGHLY QUALIFIED TEACHERS

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Ensure LEAs hire and develop highly qualified teachers	Hire only highly qualified teachers as defined in Section 9101 (See Appendix B).	Title I, Part A, Section 1119(a)	<p>Board of Public Education</p> <p>(ARM10.57.201 has raised concern regarding the ability of the state to maintain the high standards in the rest of Chapters 57 and 58, to ensure LEAs hire highly qualified teachers.)</p> <p>Superintendent of Public Instruction</p>	<p>Section 10, Chapters 57 and 58 ARM</p> <p>ESEA Consolidated Application</p> <p>Five Year Comprehensive Plan Materials</p> <p>USDESE Correspondence</p>

<p>All teachers in core academic subjects highly qualified by end of 2005-06 school year</p>		<p>Board of Public Education Superintendent of Public Instruction</p>	<p>Section 10.57.301 ARM ESEA Consolidated Application Five Year Comprehensive Plan Materials USDESE Correspondence</p>
<p>Annual measurable objectives for all teachers to be highly qualified</p>		<p>Board of Public Education Superintendent of Public Instruction</p>	<p>Section 10.57.701(1) ARM ESEA Consolidated Application Five Year Comprehensive Plan Materials USDESE Correspondence</p>

	LEAs required to develop plans to ensure all teachers are highly-qualified by end of 2005-06 school year		Board of Public Education Superintendent of Public Instruction	0.57.701(1) ARM ESEA Consolidated Application Five Year Comprehensive Plan Materials U. S. Department of Education Correspondence
Require LEA reporting of progress toward a highly qualified teacher corps	Public report of progress toward conversion to all highly-qualified teacher workforce beginning in 2002-03	Title I, Part A, Section 1119(b)(1)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Report Card
Submit state report to Secretary detailing state progress toward a highly qualified teacher corps	States receiving Title I assistance will prepare and submit a report to the Secretary describing the SEA's progress toward a highly-qualified teacher corps, starting with the 2002-03 school year		Superintendent of Public Instruction	Report submitted December 22, 2003
Ensure LEAs provide at least minimum expenditures for a highly qualified teacher corps	5 to 10 percent of all Title I, Part A funds for professional development in FY 2002 and 2003, and at least 5 percent thereafter, provided the LEAs teaching force is not all-highly qualified.	Title I, Part A, Section 1119(1)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM ESEA Consolidated Application, Title I

QUALIFICATIONS OF PARAPROFESSIONALS

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Ensure LEAs comply with NCLB standards for new paraprofessionals	All new Title I hires have 2+ years of college, an associate degree, or have passed a rigorous state or local academic exam	Title I, Part A, Section 1119(c)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM ESEA Title I Program and Workshop Materials
Ensure LEAs comply with NCLB standards for existing paraprofessionals	Existing paraprofessionals meet new paraprofessional requirements by 1/06	Title I, Part A, Section 1119(d)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM ESEA Title I Program and Workshop Materials
	Exceptions: translators for LEP students, parent involvement assistants	Title I, Part A, Section 1119(e)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM ESEA Title I Program and Workshop Materials
Ensure LEAs comply with general requirements of all paraprofessionals	All paraprofessionals currently have high school diploma or equivalent	Title I, Part A, Section 1119(f)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM ESEA Title I Program and Workshop Materials

Set paraprofessionals’ duties and limitations	Responsibilities are limited to one or more of the six listed activities (See Appendix B.)	Title I, Part A, Section 1119(g)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM ESEA Title I Program and Workshop Materials
	Paraprofessionals work under the direct supervision of a teacher		Board of Public Education	10.55.715 ARM

TEACHER QUALIFICATION DISCLOSURE

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Revise state report card to meet NCLB requirements	Must include by 2002-03 the professional qualifications of teachers, the percent with emergency or provisional credentials, and the percent of classes not taught by "highly qualified teachers"	Title I, Part A, Section 1111(h)(1)(C)	Superintendent of Public Instruction	Report Card Requirements
Report the qualifications of teachers in poor and minority communities	State must report the percent of teachers highly qualified in top-quartile and bottom-quartile poverty schools by 2002-03.		Superintendent of Public Instruction	State Report Card
Ensure LEAs follow parental notification rules	LEAs will notify parents in any school receiving Title I funds of the four required data in Section 1111(h)(6c)(A) (See Appendix B).	Title I, Part A, Section 1111(h)(6)(A)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Report Card Requirements

SECTION THREE: LITERACY

READING FIRST: FORMULA GRANTS TO SEA'S

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Administer subgrants for LEAs	At least 80% of total grants awarded to LEAs as competitive subgrants	Title I, Part B Section 1202(c)(1)(2)	Superintendent of Public Instruction	Reading First Application
	SEA subgrants to LEAs are at least as proportional to total funds as LEA Title I funding was to total state Title I funding in 2002		Superintendent of Public Instruction	Reading First Application
	Subgrants prioritized to limit to schools satisfying both criteria in 1202(c)(6) (See Appendix B)	Title I, Part B Section 1202(c)(6)	Superintendent of Public Instruction	Reading First Application
	LEA uses of funds limited to the categories detailed in section 1202(c)(7) (See Appendix B)	Title I, Part B Section 1202(c)(7)	Board of Public Education Superintendent of Public Instruction	10.55.701(1) ARM Reading First Application
	SEA ensures that only subgrants using scientifically based research and meeting the research criteria are awarded	Title I, Part B Section 1202(c)(7)	Superintendent of Public Instruction	Reading First Application

Prioritize state use of funds	No more than 20 % of total grant funds go to the SEA	Title I, Part B, Section 1202(d)(1,3,4,5)	Superintendent of Public Instruction	Reading First Application
	The funding priority given to inservice and preservice development and review is <=65% of SEA 20% share of total	Title I, Part B Section 1202(d)(4)	Superintendent of Public Instruction	Reading First Application
	Technical assistance for LEAs and schools is <=25% for any of the listed uses		Superintendent of Public Instruction	Reading First Application
	SEA planning, administration, and reporting constitute <=10% for the two listed uses		Superintendent of Public Instruction	Reading First Application
	The state annual report to the Secretary includes the four required elements	Title I, Part B Section 1202(d)(5)	Superintendent of Public Instruction (Completed Nov 2003 and each Nov there after)	Reading First Annual Report

READING FIRST: STATE FORMULA GRANT ASSISTANCE

NCLB Topic	NCLB Compliance Point	NCLB Citation(s)	State Compliance Yes/No If Yes, cite State Authority	Comments
Administer state reading and literacy partnership	The governor and SEA establish a reading and literacy partnership and develop the state formula grant application	Title I, Part B Section 1203(a,b)	Governor and Superintendent of Public Instruction	Reading First Application
Create state grant plan to assist LEAs in building capacity to raise literacy	Assurance of SEA and LEA participation in external evaluation		Superintendent of Public Instruction	Reading First Application
	SEA Plan contains the nine required descriptive elements (See Appendix B)		Superintendent of Public Instruction	Reading First Application

READING FIRST: TARGETED ASSISTANCE GRANTS

NCLB	NCLB Compliance	Ci	State Compliance Yes/No If Yes, cite State Authority	Comments
Define eligibility criteria for Reading targeted grants	SEAs increase percentage of students in each disadvantaged group that reach proficiency in reading for two consecutive years and demonstrate that schools are getting funds for improving reading instruction	Title Section	Superintendent of Public Instruction	Reading First Application
Oversee subgrant applications and distribute funds LEAs	SEAs must apply for 10 subgrants, and submit an application meeting the requirements for local use of funds received	Title Section	Superintendent of Public Instruction	Reading First Application

EARLY READING FIRST: LOCAL EARLY READING FIRST GRANTS

NCLB	NCLB Compliance	Citation	State Compliance Yes/No If Yes, cite State Authority	Comments
Provide assistance for Early First Graders	Submit application to Secretary that include descriptions of ten required elements (See Appendix A)	Title Section	Montana has no Early Reading First	
Monitor of LEAs grants	Eligible applicants for grants will use funds for the five approved activities (See Appendix B)	Title Section	Montana has no Early Reading First	
Provide to LEAs grants in reporting requirements	Report will include the ten listed elements (See Appendix B)	Title Section	Montana has no Early Reading First	